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RESPONSE UNDER

37 C.F.R. § 1.116

EXPEDITED PROCEDURE

EXAMINING GROUP 1644

PATENT

1614-0251P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Rudolf VALENTA et al. Conf.: 5581  
Appl. No.: 09/897,042 Group: 1644  
Filed: July 3, 2001 Examiner: P. NOLAN  
For: NON-ANAPHYLACTIC FORMS OF ALLERGENS AND  
THEIR USE

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NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents  
Washington, DC 20231

January 29, 2003

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated July 29, 2002 of the Primary Examiner finally rejecting claims 1-6, 21 and 22.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☐ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$0.00 is required for the full period of the above-requested extension of time.

☒ An extension of two (2) month(s) for responding to the Final Rejection was previously requested and paid for on December 30, 2002. Thus a fee of \$530.00 is required to obtain an additional one (1) month(s) for filing the Notice of Appeal.

01/30/2003 EAREGAY1 00000007 09897042

01 FC:1253  
02 FC:1401

530.00 OP  
320.00 OP

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☒ Large entity - \$320.00

☐ Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$850.00.

Payment of the above TOTAL FEE is being made in the following manner:

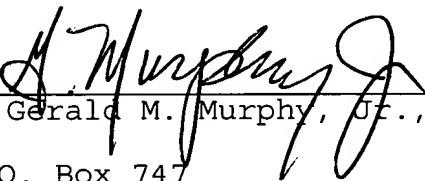
✓ ☒ Check(s) in the amount of \$530.00 and \$320.00 is/are enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Gerald M. Murphy, Jr., #28,977

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GMM/KLR:gml  
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